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Identification of owners and users of equipment
and mobile phones and other inter-
Classes

The PRESIDENT of the GREEK REPUBLIC

We issue the following law passed by the House

Article 1 Purpose

Its purpose is to identify the owners and users of
equipment and mobile telephones, agreement
prepaid airtime, a subscriber contract, or other
mobile communications for national security
reasons and to ascertain the most serious
crimes.

Article 2 Definitions

For the purposes of this Act, the following
definitions apply:

1. Subscriber: The person or entity who is using
a mobile device under contract by the mobile
telecommunications provider.
2. Anonymous subscribers: a subscriber who
uses a prepaid mobile device, whose identity is
not available to a provider of mobile
telecommunications.

3. Electronic Services Provider or Electronic
Communications Provider: the company which
operates, controls or regulates a network for
electronic services or simply providing publicly
available electronic communications services.

4. Subscriber Identity: The data that includes the
unique identity of a subscriber.

a. The identity of the individual subscriber
includes:

aa. name,

bb. father's name

cc. place and date of birth,

dd. photocopy of passport or identity card for
aliens, other relevant documents such as a
photocopy of residence permit in Greece or a
uniform special identity card or identity card for
special foreign national or asylum seekers. Visa
or criminal record as well as a record of foreign
residence which is not recognized as a refugee
status or a certificate of non-refugee immigration
who has applied for naturalization or special
travel document (T. DV) for refugees, or a
residence permit on humanitarian grounds. Not
required to provide additional information in
cases aa ', bb' and cc ', if they occur in the
document in the case d'

5. User: any natural or legal person using a
publicly available mobile phone for personal or
commercial purposes, without necessarily
having subscribed to the provider of that service.

6. Mobile terminal comprise mobile device and
the subscriber identity (SIM, USIM or other
equivalent), which contains all the information
and data relating to the subscriber.

¹ The DNA provision can be found at Article 12,
Paragraph 3.

7. Mobile terminal identification: the data required for identifying the subscriber's communication equipment. These are cumulative: a) the telephone number to call for the subscriber, b) the International Mobile Subscriber Identity (IMSI), c) the International Mobile Equipment Identity (IMEI), d) the date and time of initial activation of service e) The location (Cell ID) from which the activation and f) the subscriber identity (SIM, USIM or similar) that contains all information and data relating to the subscriber.

Article 3

Identification of subscriber and User mobile terminal

1. At the conclusion of a contract between a provider and a subscriber, including switching the contract number portability, the provider must request, collect and store subscriber identification and proceed with matching the subscriber identity of Article 2, paragraph 7 subparagraph f, this and other available data. The submission of the subscriber identity accompanied by a completed declaration of Law 1599/1986 on the accuracy of the reported data, addressed to the competent supervisory authority of the National Telecommunications and Post Commission (EETT) and kept in custody and responsibility of each provider. If the user of the mobile device is a different person from the subscriber than the above affirmation to the EETT, the subscriber is required to set user information as defined in Article 2 paragraph 4 hereof.

2. The identity of the subscriber with the available information identifying the mobile device must be met by the provider under the terms of existing legislation on data protection in electronic communications. It is prohibited to register any other identifiers for the subscriber other than those specified in this restrictive law.

3. It is not allowed to activate the link from the provider before the provision of identity from the subscriber, as defined above.

4. The obligation of the subscriber identity is independent of the right to request or at the

conclusion of the contract or later, to express a signed statement by the non-inclusion of the consolidated telephone directory under the universal service and in printed or electronic catalogs, subscription miton in terms of Article 10 of Law 3471/2006 (GG 133 A).

5. The provider is not entitled to any compensation for the costs of collection and storage of subscriber identities.

Article 4

Subscriber Obligations

1. The subscriber is required to use the mobile device and through this service in accordance with the provisions of the subscriber contract and the current legislation. In case of transfer of subscriber identity, the statement of transfer signed by both the subscriber who transfers the account and by the person to whom it is transferred. The subscriber must immediately notify in writing to the provider during the procedure of Article 3 paragraph 1 of this, the identity of the new subscriber or a new user, as described in Article 2 of this otherwise deemed to remain the same to all subscribers resulting legal consequences.

2. In case of loss or theft of a mobile device with the subscriber identity (SIM or USIM or other equivalent) or only the subscriber identity, subscriber must immediately notify the provider. The provider must immediately stop the service operator. Breach of this obligation by the provider entails the imposition against the provider of administrative penalties in paragraph 2 of Article 6 hereof.

Article 5

Preservation and access to subscriber data

1. The subscriber identity and at the same mobile device deleted after one year from termination of the contract between provider and subscriber or for any reason stop mobile service. If the subscriber identity removed, requires resubmission to the subscription to the service provider to renew the service.

2. Access by the prosecutors of the identity provider and subscriber identification mobile terminal is permitted under the terms of Article 4 of Law 2225/1994 (GG 121 A), as replaced by Article 12 of Law 3115/2003 (Gazette 47 A) and PD 47/2005 (FEK 64 A).

3. Providers are required to have, at no extra cost, only the legal projected subscriber, with or without a contract, to the management body of database universal service, number portability database, and to use services prostitheme-mask value information index-number telephone subscribers, as defined in Law 3431/2006 (FEK 13 A) and the relevant decisions of the EETT.

Article 6

Controls - Administrative Penalties

1. The EETT acts under the terms of Article 14 of Law 3431/2006, regular checks on each service provider regarding compliance with the obligation to identify the subscriber, and special audits in cases of complaints from subscribers for violation of the terms of this Act .

2. Providers judged guilty of violations of this Act concerning the conditions of subscriber identification required by the EETT face the administrative sanctions provided in Article 63 of Law 3431/2006.

Article 7

Transitional provisions

1. Until 06/30/2010, providers are obliged to inform any appropriate means anonymous prepaid subscribers of mobile voice, so that they indicate the identity of the subscriber and the telephone number, on punishment of disconnection from 07/30/2010.

2. After 7/30/2010, the provider is required to cross-cut directly to the provision of mobile communications, even though paid by the anonymous subscriber to financial equivalent of prepaid airtime. To reactivate the mobile service require a declaration of subscriber identities.

3. Failure of this obligation entails the imposition of administrative sanctions against the provider with EETT's decision under the terms of Article 6 hereof. The opening of identifying providers shall be three (3) months from the publication hereof.

Article 8

Provisions amended

Paragraph 7 of Article 5 of Law 3471/2006 (GG 133 A) is amended as follows:

"7. The provider of publicly available electronic

communications is, due to the extent that it is technically feasible and permitted by this law, to allow payment for these services anonymously or under a pseudonym. In case of doubt in the technical feasibility of anonymous nickname and payment for those services, consul the National Telecommunications and Post Commission (EETT)."

Article 9

Expenditure by Prefectures for compensation contracted to them doctors, primary and secondary medical examinations of drivers and car drivers and motorcycles for granting them health certificates, incurred by the repealed to Law 3697/2008 "Enhancing the transparency of the Budget Members, control of public spending measures in taxation and other provisions (FEK 194 A) "Special Account Id 638/1970 "On medical examination of drivers of cars, two-, three-wheel motorcycle engine and after (FEK173 A), covered by a grant from a special code number and exit the institution of the State budget. The allocation of the funds in Prefecture is a proposal from the Ministry of Transport and Communications.

Article 10

Not subject to the provisions of Law 1676/1986 (GG 204 A), as applicable, foreign companies have set up or establish offices or branches in Greece, the basis of Article 25 of Law 27/1975 (FEK 77 A), as applicable, foreign shipping companies vessels removed from Article 13 of Decree 2687/1953 (GG 317 A) and Naval Special Operations recommended or established in accordance with clause 16 of the approval documents of registration of Article 13 of Decree 2687/1953. The regulation applies to the filing of the House.

Article 11

1. In paragraph 5 of Article 7 of Law 3717/2008 (GG 239 A), add the following subparagraph:

"Members of the regular staff, payers and hold the rating of Flying Pilot 1.1.2009 are entitled to transfer to the Office policy Aviation Authority (CAA) to identifiable items of specification of" pilots ", which consists out to the Office, unless he states that he wishes to exercise its right to the CAA. The statement submitted with the application of paragraph 4 of Article 7 of this

Act. Thus transferred to the CAA Flying Pilots available to the Governor of the CAA, to delegate the tasks and work within the requirements, which are peculiar to the business, formally and substantially urban skills transferees and other workers in the CAA in this specialty. The salaries of the above way transport time period referred to in the CAA Flying Pilots, and the estimated life and degree determined by joint decision of the Ministers of Economy and Eco-legal, Interior and Interior and Transportation and Communications and may not be lower for each individual transferred to ninety percent (90%) of regular monthly salary of paragraph 5 of Article 1 of Law 3717/2008, as applicable, and evolve in scale, according to those provided in the current collective bargaining agreement 10.01.2008 Olympic Airlines - ECHPA.

To these benefits are not paid for in paragraph 3 of Article 34 of Law 2682/1999 (FEK 16 A) and Article 73 of Law 3431/2006 (FEK 13 A). "2. In case a 'of paragraph 1 of Article 6 of Law 3717/2008 the following paragraph added: "For the realization of the consequences of entering work, it is required after the submission of the application for retirement."

Article 12

1. In paragraph 2 of Article 3 of Law 2472/1997 (FEK 50 A), as substituted by paragraph 1 of Article Eighth of Law 3625/2007 (GG 290 A) add c ', as follows:

"C. by a public authority with the operation of special technical means sound recording or film in public places to safeguard national security, defense, public safety, which is responsible, and in particular to protect people and property, and to manage the VS-kloforias. The material collected by these instruments, if not in the case b is kept for seven (7) days after the end of which is destroyed by an act of the competent prosecutor. Violations of the provisions of the preceding paragraph is punishable by imprisonment of at least one (1) year, if not punished more heavily than other provision."

2. After the first sentence of paragraph 3 of Article 29 of the Criminal Code are the second and third paragraphs as follows: "The Judge, appointed by the plenary Court of Appeal as an investigator completes the investigation, even after the definition of promotion. The same

applies to cases in which the plenary Court of Appeal has been appointed investigating judge."

3.a) The first sentence of paragraph 1 of Article 200A of the Criminal Code is replaced as follows:

"When there are strong indications that a person has committed a felony or misdemeanor, whose punishment is imprisonment of at least three (3) months, law enforcement agencies receive mandatory genetic material for analysis deoxyribonucleic acid (DNA) for the purpose of life credit, the identity of the perpetrator of this crime. "

b) The last sentence of paragraph 2 of Article 200A of the Criminal Code is replaced as follows:

"If the profile results are negative, the genetic sample and genetic profile are destroyed, while if the analysis proves to be positive, although the genetic material is destroyed immediately, the the genetic profile of the person, as the act is attributed, in compliance without a specific index as recommended, and functions in the Directorate of Criminal Investigations of the Greek Police Headquarters. These figures are kept for use in investigating and solving other crimes and destroyed in each case after the death of the person concerned. The functioning of the file or supervised by Deputy Prosecutor Prosecutor Appeals, appointed by decision of the Supreme Judicial Council, when the current provisions, a term of two (2) years. "

c) Paragraphs 3 and 5 of Article 200A of the Criminal Code repealed and the existing paragraph 4 renumbered 3 and amended as follows:

"3. Per paragraph 2 of the destruction of genetic material and genetic profile in the presence of a judicial officer who oversees the removal, is summoned to appear with counsel and technical consultants from the person who took the genetic material."

Article 13

The provision of Article 14 of Law 3688/2008 (GG 163 A) is repealed. Since the entry into force of this Act resumed as the provision of Article 7 of Law 3603/2007 (GG 188 A).

Article 14

1. Paragraph 2 of Article 5 of Law 3651/2008 (GG 44) is replaced as follows:

"2. These companies are required to active-active poiountai or at least the prefectures of Attica and Thessaloniki with the same instruments as defined in Article 2. "

2. The case c of paragraph 3 of Article 6 of Law 3651/2008 is replaced as follows:

"C. A copy of the cooperation agreement concluded with a single joint venture vehicle breakdown."

Article 15

Entry into force of Law

This Act applies to the publication in the Official Gazette, except for Article 14, in force since 01.01.2010. We order the publication of this in the Official Gazette and implemented as law of the State.

Lefkada, August 6, 2009

The President of the Republic
KAROLOS GR. PAPOULIAS

His Ministers

Interior
PROKOPIOS PAVLOPOULOS

Assoc. Interior
CHRISTOS MARKOGIANNAKIS

Economics and Finance
IOANNIS PAPATHANASIOU

Justice
GEORGE NIKOLAOS DENDIAS

Transport and Communication
EVRIPIDIS STYLIANIDIS

*Considered and entered the Great Seal of
State.*

Athens, August 7, 2009
The ON THE JUSTICE MINISTER

GEORGE NIKOLAOS DENDIAS